



U.S. Department of Energy

Ohio Field Office
Columbus Closure Project
1425 Plain City-Georgesville Road, SR 142
P.O. Box 200
West Jefferson, OH 43162

May 7, 2003



Director, Ohio Environmental Protection Agency
Attention: Mr. Michael Savage, Chief, DHWM
P.O. Box 1049
Columbus, Ohio 43216-1049

Dear Mr. Savage:

**SUBJECT: NOTIFICATION OF OHIO EPA PER DIRECTOR'S FINDINGS AND
ORDERS FOR BCLDP SITE TREATMENT PLAN**

In accordance with the Director's Findings and Orders from Ohio EPA, this letter is to notify Ohio EPA that the *Amended Site Treatment Plan* for the BCLDP will be amended. On April 1, 2003 the process in the JN-1 Hot Cell Building at the West Jefferson site that was generating one of the mixed TRU waste streams terminated. Two drums of TRU mixed waste were transferred to a RCRA less-than-90-day storage area on April 3, 2003. The amendment is necessary due to the unavoidable delay for Hanford, or the Waste Isolation Pilot Project (WIPP) to receive mixed transuranic (TRU) waste from the site within the RCRA 90-day storage time frame.

Due to the legal actions and directives listed below, an interim offsite storage site is most probably unavailable to accept this mixed TRU waste stream within time frames specified in OAC Chapter 3745. On April 10, 2003, it became apparent that the amendment to the STP would be necessary. A brief history of the BCLDP efforts to remove mixed TRU offsite is as follows:

On September 6, 2002, DOE published in the Federal Register a Notice of a Revised Record of Decision (ROD) for the Treatment and Storage of Transuranic Waste. It indicated that the U.S. DOE had decided to transfer to Hanford 27 cubic meters of transuranic waste (TRU) (including mixed waste) from the Battelle Columbus Laboratory (Battelle) in Columbus, Ohio. The U.S. DOE stated that most of this waste would be stored at Hanford until it could be accepted by the Waste Isolation Pilot Plant (WIPP) in New Mexico. WIPP is anticipated to receive final permitting to accept remote-handled TRU waste, which comprises over 90% of the Battelle TRU waste inventory, in late 2005.

Following issuance of the amended Record of Decision, DOE Headquarters and the DOE Richland Operations Office spent several weeks working to resolve a number of waste management issues with the State of Washington. Finally, on December 18, 2002, the first 10 drums of remote-handled TRU waste departed the Battelle West Jefferson site and were received at the Hanford site for storage. Two additional shipments, totaling an additional 10 drums, were shipped in early February.

In early March, the State of Washington filed suit against DOE in the Eastern District Court of Washington alleging violations of National Environmental Policy Act (NEPA) and Washington's Hazardous Waste regulations. In return for the state's agreement to an expedited hearing process on the lawsuit, DOE agreed to self-enjoin additional TRU waste shipments for 45 days. A hearing on the matter was scheduled for April 17, 2003.

On April 2, 2003, several public interest groups additionally filed suit against DOE in the Oregon District Court to prevent continued TRU waste shipments. Subsequently these parties agreed to have their lawsuit consolidated with the State's legal action; in return, DOE agreed to a further hearing delay of two weeks to allow the parties time to file briefing papers with the court. At a hearing on May 2, 2003 on the consolidated lawsuit, the judge declared that additional time would be needed to review the voluminous record provided by the litigants. The current shipping moratorium was ordered extended through May 16, 2003.

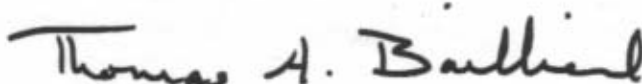
The Battelle mixed TRU hazardous waste accumulation area is located in the north area of the West Jefferson facility in the JN-1B highbay, inside the empty former fuel storage pool (see attached Exhibit I). The storage pool is 20 feet by 20 feet (inside dimensions) by 45 feet deep. It is lined with a 10-mil polyethylene liner inside a 14-gauge Type 304 stainless steel inner shell, with no floor drains. It is reinforced by a 2-foot, 3-inch thick concrete retaining wall and floor. The wall extends above the operating area floor forming a 2-foot tall and 1-foot, 3-inch wide parapet around the periphery of the pool. A 6-by-6-foot section in the southeast corner of the pool floor is reinforced by an additional layer of 12-inch thick concrete bricks. The only entrance to the pool is covered by a 1-foot thick heavy-duty, tornado-proof lid. The lid is built in two halves, each of which covers one-half of the pool and can be removed individually by crane. Personnel access is achieved by use of the facility's 50-ton crane with a man-basket. Since the radiation dose rates on the containers prohibit human entry, a remotely-controlled camera monitors the storage area. An emergency phone and two fire extinguishers are located in the windowless JN-1B highbay. The closest water standpipe is approximately 200 feet west of JN-1A. The area is used only for the accumulation hazardous and non-hazardous TRU waste.

Based upon telephone conversations between OEPA Central District Office and Battelle staff, a meeting will be arranged with your agency to discuss the necessary elements to be included in the

Amended STP. Based on this meeting, a Compliance Schedule for mixed TRU shall be submitted as specified in the Director's Findings and Orders for the Battelle Columbus Laboratories Decommissioning Project, Section V.

Please contact me at 614-424-3559 if you have questions or comments concerning this notification.

Sincerely,



Thomas A. Baillieul, Director
Columbus Environmental Management Project

TAB/psr/C03-013

cc

R. Warther, DOE/OH/OOM
J. Craig, DOE/OH/OOM
B. Kain, DOE/OH/AAM
R. Holland, DOE/OH/AAM
R. Holland, DOE/OH/OCC
N.J. Gantos, Battelle
S. Schmucker, Battelle
P. Weaver, Battelle

Attachment: Diagram of Building JN-1 showing the location of the 90-day storage area.

Courtesy copies to:

Mr. Lundy Adelsberger
Central District Office, DHWM
Ohio Environmental Protection Agency
3232 Alum Creek Drive
Columbus, Ohio 43207

Mr. Randy Sheldon
Central District Office, DHWM
Ohio Environmental Protection Agency
3232 Alum Creek Drive
Columbus, Ohio 43207

**DIAGRAM OF BUILDING JN-1
WITH LOCATION OF THE 90-DAY STORAGE AREA.**

